

1979 WL 43540 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 23, 1979

*1 Honorable Jasper M. Cureton
Master in Equity
Richland County Courthouse
Columbia, SC 29201

Dear Judge Cureton:

Mr. McLeod has referred your recent letter to me for reply. You have requested an opinion as to whether or not the 1979 Act bearing ratification number R238 which amends section 15-31-10, permits a master to enter a final judgment in a cause upon the agreement and stipulation of the parties not in default.

The amendment to Section 15-31-10 states in part that:

[i]n all cases, whether or not the parties are in default, the parties may agree and stipulate in the order of reference or by separate stipulation that the master may enter a final judgment in the cause.

The language of the statute clearly states that the parties whether or not it is a default case must agree that the master may enter a final judgment in the cause. Therefore, if a matter is referred to a master, both parties must agree to authorize the master to enter a final judgment in the case.

Very truly yours,

Treva G. Ashworth
Senior Assistant Attorney General

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